

UNITED STATES DISTRICT COURT, FILED
DISTRICT OF MASSACHUSETTS, CLERKS OFFICE

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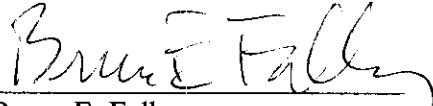
ANTHONY BAYAD,)
Plaintiff,) U.S. DISTRICT COURT
v.) DISTRICT OF MASS.
JOHN CHAMBERS, PATRICIA RUSSO,)
ANTHONY SAVASTANO, and) CIVIL ACTION NO. 04-10468-GAO
CARL WIESE,)
Defendants.)

DECLARATION OF BRUCE E. FALBY

I, Bruce E. Falby, declare as follows:

1. My name is Bruce E. Falby. I am a partner at the firm DLA Piper Rudnick Gray Cary US LLP. I represent the defendants John Chambers, Anthony Savastano and Carl Wiese (the "Cisco Defendants") in the captioned matter.
2. Attached hereto as Exhibit A is a copy of a two page document that plaintiff has characterized as a no-hire list that he claims he received from Cisco and that he produced in electronic form and hard copy in this litigation.

Signed under the pains and penalties of perjury this 28th day of February, 2005.


Bruce E. Falby